

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

BRUCE C. TRUESDALE, P.C.
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Attorneys for Debtors

In Re:

ALLEN H. SPRAGUE, Sr.
ELIZABETH SPRAGUE



Order Filed on August 27, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 17-35849
Hearing Date: 8/20/2019
Chapter: 13
Judge: Michael B. Kaplan

**ORDER AUTHORIZING
SALE OF REAL PROPERTY**

Recommended Local Form: ☒ Followed ☐ Modified

The relief set forth on the following pages numbered two (2) and three (3) is
ORDERED.

DATED: August 27, 2019

A handwritten signature in black ink, appearing to read "Michael B. Kaplan".

Honorable Michael B. Kaplan
United States Bankruptcy Judge

After review of the Debtor's motion for authorization to sell the real property commonly known as 155 Lawrence Ave North Plainfield, New Jersey 07095, New Jersey (the Real Property).

IT IS hereby **ORDERED** as follows:

1. The Debtor is authorized to sell the Real Property on the terms and conditions of the contract of sale pursuant to 11 U.S.C. §§ 363(b) and 1303.
2. The proceeds of sale must be used to satisfy the liens on the real property unless the liens are otherwise avoided by court order. Until such satisfaction the real property is not free and clear of liens.
3. ☒ In accordance with D.N.J. LBR 6004-5, the *Notice of Proposed Private Sale* included a request to pay the real estate broker and/or debtor's real estate attorney at closing. Therefore the following professional(s) may be paid at closing.

Name of professional: Bruce C. Truesdale, P.C. and Remax 1st Advantage*

Amount to be paid: \$1195 to Bruce C. Truesdale, P.C. and 5% + \$100 to Remax 1st Advanta

Services rendered: Bruce C. Truesdale, P.C. - Representation of Seller in transaction, attorney review of contract and preparation of closing documents.

Remax 1st Advantage - Listing of property on MLS, marketing and procurement of buyer for the same.

*to be split with cooperating broker.

OR: ☐ Sufficient funds may be held in escrow by the Debtor's attorney to pay real estate broker's commissions and attorney's fees for the Debtor's attorneys on further order of this court.

4. Other closing fees payable by the Debtor may be satisfied from the proceeds of sale and adjustments to the price as provided for in the contract of sale may be made at closing.

5. The amount of \$ 47,350 claimed as exempt may be paid to the Debtor.
6. The ☒ *balance of proceeds* or the ☐ *balance due on the debtor's Chapter 13 Plan* must be paid to the Chapter 13 Trustee in the Debtor's case.
7. A copy of the HUD settlement statement must be forwarded to the Chapter 13 Trustee 7 days after closing.
8. ☐ The debtor must file a modified Chapter 13 Plan not later than 21 days after the date of this order.
9. Other provisions:

The provisions of Fed.R.Bankr.P 8002 are hereby waived.

The provisions of Fed.R.Bankr.P 6004(h) are hereby waived.

The mortgages which are the subject of the proof of claims filed by Bank of America, N.A. (Claims #3 and #8) shall be paid in full at closing from the proceeds of the sale. Bank of America, N.A. shall provide the Debtors with payoffs within seven (7) days of the entry of this Order.

rev.8/1/15

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Allen H Sprague, Sr.
Elizabeth Sprague
Debtors

Case No. 17-35849-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Aug 27, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 29, 2019.
db/jdb +Allen H Sprague, Sr., Elizabeth Sprague, 155 Lawrence Ave,
North Plainfield, NJ 07063-1658

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 29, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 27, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Bruce C. Truesdale on behalf of Joint Debtor Elizabeth Sprague brucectruesdalepc@gmail.com,
bctpcecf@gmail.com;r49787@notify.bestcase.com
Bruce C. Truesdale on behalf of Debtor Allen H Sprague, Sr. brucectruesdalepc@gmail.com,
bctpcecf@gmail.com;r49787@notify.bestcase.com
Michael M Khalil on behalf of Debtor Allen H Sprague, Sr. mkhalil@atrbklaw.com
Michael M Khalil on behalf of Joint Debtor Elizabeth Sprague mkhalil@atrbklaw.com
Nicholas V. Rogers on behalf of Creditor BANK OF AMERICA, N.A. nj.bkecf@fedphe.com
Rebecca Ann Solarz on behalf of Creditor Towd Point Master Funding Trust 2018-PM27, U.S. Bank
National Association, as Trustee rsolarz@kmlawgroup.com
Robert Davidow on behalf of Creditor BANK OF AMERICA, N.A. nj.bkecf@fedphe.com
Sean M. O'Brien on behalf of Creditor BANK OF AMERICA, N.A. DMcDonough@flwlaw.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 11